

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

IN RE MICROSOFT CORP.
ANTITRUST LITIGATION.

MDL Docket No. 1332

Hon. J. Frederick Motz

This Document relates to:

Burst.com, Inc. v.
Microsoft Corp.,

Civil Action No JFM-02-cv-2952

MOTION SEEKING LEAVE TO FILE UNDER SEAL

Pursuant to the Amended Stipulated Protective Order Re Competitor Cases entered by the Court on October 31, 2002, Plaintiff Burst.com hereby seeks leave to file under seal Plaintiff Burst.com, Inc.'s Motion to Compel Microsoft to Produce Documents Relating to Its Document Preservation Policy and Practice, which references material designated as "Confidential" or "Highly Confidential" under the protective order.

DATED: August 23, 2004

SPENCER HOSIE (Ca Bar # 101777)
BRUCE J. WECKER (Ca Bar # 078530)
JOHN BURRITT McARTHUR (Ca Bar # 159793;
Texas Bar #13325650)
GEORGE F. BISHOP (Ca Bar # 89205)
JAMES T. McCARTT (Ca Bar # 121983)
HOSIE, FROST, LARGE & McARTHUR
One Market, Spear Street Tower, 22nd Floor
San Francisco, CA 94105
Telephone: 415-247-6000

ROBERT YORIO (Ca Bar # 93178))
CARR & FERRELL, LLP
2200 Geng Road
Palo Alto, CA 94303
Telephone: 650-812-3400

By /s/
Spencer Hosie
Attorneys for Plaintiff Burst.com, Inc.